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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,963	10/25/2001	Helmut Windl	071308.0415	1435

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EXAMINER

HANNE, SARA M

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,963

Applicant(s)

WINDL ET AL.

Examiner

Sara M Hanne

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6 and 13 recite the limitation "indicated slot" in the second line of each claim. There is insufficient antecedent basis for this limitation in the claim. The term "indicated slot" is not recited in Claims 2 and 9, therefore the proposed amendment does not overcome the rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Hemenway et al., US Patent 5638505.

As in Claims 1 and 8, Hemenway et al. et al. teaches computer program method and apparatus to drive a processor with a graphics display device (computer controlled display system) for configuring automation equipment (printer) comprising displaying

selectable images (object icons) representative of the modules (file), automatically indicating a receiving location when a module is selected that is capable of receiving that module (Visual feedback: "Drop allowed") to facilitate the user's relation of the selected module with the assisted location (Column 10, line 54 – Column 11, line 4).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2, 5-9 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hemenway et al., US Patent 5638505, and further in view of Möhler et al., US Patent 6681138.

As to claims 2 and 9, Hemenway et al. teaches the automation equipment to include a rack (Print Tool display window) with slots (destination bin image 52, column 7, lines 1-2) as well as a method for indicating receiving locations with which a selected module is capable of being associated with (See Claim 1, *supra*). While Hemenway et al. teaches indicating slots in automation equipment capable of receiving a selected module, they fail to show the modules being electronic components capable of being plugged into slots as recited in claims 2 and 9. In the same field of the invention, Möhler et al. teaches an automation equipment controlled interface similar to that of Hemenway et al. In addition, Möhler et al. further teaches modules being electronic

components (technical equipment B1 ... Bm) plugged into (by terminal connections) their respective slots (Column 5, lines 36-53). It would have been obvious to one of ordinary skill in the art, having the teachings of Hemenway et al. and Möhler et al. before him at the time the invention was made, to modify the automation control equipment with corresponding receiving location indications taught by Hemenway et al. to include the electronic components and "plugging" of Möhler et al., in order to obtain physical facilitation of the interface with electronic connections. One would have been motivated to make such a combination because component connection control interface would have been obtained, as taught by Möhler et al.

As in Claims 5 and 12, Hemenway et al. teaches indicating a slot is associated with a module is done modifying the graphical representation of the slot ("the destination bin image in the Print Tool display window 46 is again modified to provide the user with feedback on the completion of the data transfer", Column 11, lines 14-17).

As in Claims 6 and 13, Hemenway et al. teaches relating the module with a slot is done by a drag and drop procedure ("the user releases the select switch after the modified cursor has been repositioned over at least a portion of the destination bin image", Column 11, lines 6-8).

As in Claims 7 and 14, Hemenway et al. teaches depicting the respective spatial appearances of the rack and the module relocated in the rack ("the destination bin image 50b is again modified to provide the user with feedback on the completion of the data transfer", Column 8, lines 2-3).

7. Claims 3-4 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hemenway et al., US Patent 5638505 and Möhler et al., US Patent 6681138, and further in view of Fowlow et al., US Patent 6083277.

Hemenway et al. and Möhler et al. teach automation equipment, including a rack with slots and a method for indicating slots with which a selected module is capable of being plugged into (See the rejection of Claims 1-2 and 8-9, *supra*). While Hemenway et al. and Möhler et al. teach the interface for connecting automation equipment, they fail to show the associations to be based on the modules characteristics as recited in Claims 3 and 10 or on their architecture as recited in Claims 4 and 11. In the same field of the invention, Fowlow et al. teaches an automation equipment controlled interface similar to that of Hemenway et al and Möhler et al. In addition, Fowlow et al. further teaches associating the modules with respective slots based on the architecture of the modules ("The plug will match the socket if either (1) the plug type is a CORBA object", Column 12, lines 63-64) or based on characteristics of the modules ("The plug will match the socket if ... (2) the plug type is the same as the socket type", Column 12, lines 63-64). It would have been obvious to one of ordinary skill in the art, having the teachings of Hemenway et al. and Möhler et al. with Fowlow et al. before them at the time the invention was made, to modify the interface for connecting automation equipment which slot indication according to module selection taught by Hemenway et al. and Möhler et al. to include the corresponding associations to be based on module architecture or characteristics of Fowlow et al., in order to obtain a process for relating

modules to locations according to how they are constructed or what they are constructed of. One would have been motivated to make such a combination because a structured connection of compatible electronic components would have been obtained, as taught by Fowlow et al.

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hemenway et al., US Patent 5638505, and further in view of Kung et al., US Patent 5742286.

Hemenway et al. teaches the automation equipment to include a rack (Print Tool display window) with slots (destination bin image 52, column 7, lines 1-2) as well as a method for indicating receiving locations with which a selected module is capable of being associated with (See Claim 1, *supra*). While Hemenway et al. teaches indicating slots in automation equipment capable of receiving a selected module, they fail to show the use of a display for the modules from downloaded information through the Internet as recited in Claim 15. In the same field of the invention, Kung et al. teaches an automation equipment controlled interface with a visual indication for compatible reception locations similar to that of Hemenway et al. In addition, Kung et al. further teaches a display for the modules from information downloaded through the Internet ("appropriate communication protocols such as TCP/IP, Ethernet, ... one of the computer will serve as a station for a network administrator from which he or she manages the net", Column 5, lines 2-17). It would have been obvious to one of ordinary skill in the art, having the teachings of Hemenway et al. and Kung et al. before him at

the time the invention was made, to modify the automation control system with receiving location indications taught by Hemenway et al. to include the downloading of information about the systems of Kung et al., in order to obtain an interface for controlling the system over the Internet. One would have been motivated to make such a combination because a way to remotely control the system would have been obtained, as taught by Kung et al.

Response to Amendment

Applicant's arguments with respect to the amended claims have been fully considered but they are not persuasive. With respect to the argument that the limitation "automatic indication procedure" is not taught by the reference, the examiner feels that there is an automatic indication with the drag drop procedure. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "all locations on the computer screen which are capable ... ") are not recited in the rejected claim(s). In fact, as in Claims 1 and 8, the indication is not specifically immediately responsive to selection of the module and the indication is not necessarily visually indicated as recited. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore the prior art as stated previously and *supra* stands to reject claims 1-15 as amended.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar drag and drop control interfaces and component connections.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh

BA HUYNH
PRIMARY EXAMINER